



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Jonathan C. Parks
Kirkpatrick & Lockhart LLP
535 Smithfield Street
Henry W. Oliver Building
Pittsburgh PA 15222-2312

In re Application of
John Stefanik, et al.
Application No. 09/751,468
Filed: December 29, 2000
For: REMOTE CONTROL DEVICE WITH
ILLUMINATION

MAIL

SEP 08 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT

This is in response to the Request for Reconsideration filed June 9, 2004 in response to the decision denying the Petition to Withdraw Holding of Abandonment pursuant to 37 C.F.R. §1.181(a).

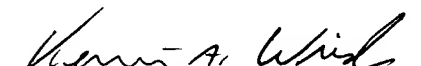
This application is in an abandoned status for failure to file corrected formal drawings as indicated by the Supplemental Notice of Allowability mailed October 20, 2003 which indicated that formal drawings are required including changes by the proposed drawing correction filed June 10, 2003. A Notice of Abandonment was mailed February 27, 2004.

Petitioner asserts that corrected formal drawings, complying with 37 CFR 1.84 were filed in response to an Office requirement. Petitioner further asserts that the corrected drawings were accepted by the Office as evidenced by the Notice of Allowability mailed August 25, 2003. Additionally it is urged that the requirement in the Supplemental Notice of Allowability for new formal drawing's is not supported by § 1.85(c) because the drawing filed June 30, 2003 was a "corrected drawing" complying with § 1.84 not merely a proposed drawing correction, and the Office accepted the corrected drawing at the time of allowance.

Upon further review, it is held that the drawing filed June 10, 2003 is a corrected formal drawing. The indication on the drawing that the examiner approves of the correction is noted. However, the drawing is considered formal.

The petition is **GRANTED**.

The application is restored to pending status and will be processed accordingly.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications